

Appl. No. : 10/713,820
Filed : November 14, 2003

REMARKS

With this Amendment, Claims 44-57 are pending. Claims 1-43 have been canceled. Claims 45-49 and 51-57 have been previously presented. Claims 44 and 50 have been amended.

Rejections For Double Patenting

Claims 44-45 and 48-55 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1, 3-4, 8-13, 17-22 of U.S. Patent No. 6,187,000. Applicants disagree with Examiner's double patenting rejection. Furthermore, in view of the claims as amended, Applicants submit that the double patenting rejection is inappropriate and request reconsideration.

Rejections Under 35 U.S.C. § 102

Claims 44-55 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Murdock (U.S. Patent No. 3,044,461). In order to further prosecution, Applicants have agreed to amend the claims as discussed during the telephone interview with the Examiner.

Applicants respectfully submit that the claims are in condition for allowance. Furthermore, any remarks in support of patentability of one claim should not be imputed to any other claim, even if similar terminology is used. Any remarks referring to only a portion of a claim should not be understood to base patentability on that portion or that the limitation discussed is essential or critical; rather, patentability must rest on each claim taken as a whole. Applicants respectfully traverse each of the Examiner's rejections and each of the Examiner's assertions regarding what the prior art shows or teaches, even if not expressly discussed herein. Although changes to the claims have been made, no acquiescence, disclaimer or estoppel is intended or should be implied thereby; such amendments are made only to expedite prosecution of the present application and are without prejudice to the presentation or assertion, in the future, of claims relating to the same or similar subject matter. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Appl. No. : 10/713,820
Filed : November 14, 2003

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 2/13/07

By: 

Winston Chu
Registration No. 55,071
Attorney of Record
Customer No. 20,995
(949) 760-0404

AMEND

3417171
021207